



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
JUNG, et al.,

Plaintiffs,

- against -

NESCHIS, et al.,

Defendants.  
-----X

01 Civ. 6993 (RMB) (THK)

**ORDER**

On March 6, 2009, United States Magistrate Judge Theodore H. Katz issued a 60-page Report and Recommendation ("Report") recommending, among other things, that Defendants' motion to dismiss, dated August 8, 2008, be denied and that Defendants' motion for sanctions, dated August 8, 2008, be granted. (Report at 1.) The Report advises that, "[p]ursuant to 28 U.S.C. § 636(b)(1)(C) and Rule 72(b) of the Federal Rules of Civil Procedure, the parties shall have ten days from service of this Report to file written objections." (Report at 60.) As of the date of this Order, neither Plaintiffs nor Defendants have filed objections to the Report.

The Court may adopt those portions of a report and recommendation to which no objections have been made and which are not clearly erroneous or contrary to law. See Thomas v. Arn, 474 U.S. 140, 149 (1985); see also 28 U.S.C. § 636(b). Having reviewed the Report and applicable legal authorities, the Court concludes that the Report is neither clearly erroneous nor contrary to law and adopts the Report in its entirety. See Thomas, 474 U.S. at 149-50; see also CSI Inv. Partners II, L.P. v. Cendant Corp., 507 F. Supp. 2d 384, 435 (S.D.N.Y. 2007).

Dated: New York, New York  
March 23, 2009

RICHARD M. BERMAN, U.S.D.J.